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Electronic Submission

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Portals II, Room TW-A325
Washington, DC 20554

Ex Parte Submission

RE: AT&T Petition for Waiver of Lower 700 MHz Band Interim and End-of-Term Geographic Construction Benchmarks for Alaska B-Block License WQIZ358, WT Docket No. 16-335

Dear Ms. Dortch:

In this docket, AT&T seeks a waiver of the 35% interim and 70% end-of-term geographic coverage benchmarks under Federal Communications Commission Rule Section 27.14(g) for call sign WQIZ358, a Lower 700 MHz B Block license in the Alaska 1-Wade Hampton, Alaska, Cellular Market Area ("CMA315"). In its Petition for Waiver, AT&T proposed that the Commission replace the geographic coverage benchmarks with 40% interim and 70% end-of-term population benchmarks due to the unique environmental and market conditions in Alaska and AT&T's demonstrated diligent efforts to serve customers in CMA315. AT&T's Petition is unopposed and received support from the lone commenter in the docket.

AT&T continues to believe that its alternative population-based coverage proposal meets the Commission's build-out goals and policies. Nevertheless, in light of the impending deadline for making its construction filing for CMA315, AT&T proposes the following alternative population-based construction requirements that would replace the geographic coverage benchmarks following grant of the requested waiver:

1. By the interim build date, December 13, 2016, AT&T will provide coverage and offer service over no less than 70% of the population of CMA315. Failure to meet this interim population coverage benchmark will have the same effect as a failure to meet the interim geographic coverage benchmark under Commission Rule Section 27.14(g).
2. By the end of the license term, June 13, 2019, AT&T will provide coverage and offer service over no less than 80% of the population of CMA315 and maintain coverage and service over no less than 80% of the population of CMA315 for no less than five (5)

years after any renewal term (i.e. through June 13, 2024). No later than July 1, 2024, AT&T will file a confirmation for WQIZ358 in ULS that it has met this five year population-based benchmark. Failure to meet either of these population-based benchmarks will result in loss of authorization to serve the geographic areas within CMA315 where AT&T expanded service after the end-of-term for WQIZ358 if the waiver is not granted (i.e. June 13, 2017).

3. During any renewal term, AT&T will negotiate in good faith with any third party seeking to lease spectrum in unserved areas. Good faith negotiations would include, among other things and by way of example only, terms providing for reasonable market-based lease rates, term periods, and build requirements similar to those proposed in this docket and in Commission Rule Section 27.14(g)). Failure to meet this commitment would require a finding by the Commission and could subject AT&T to loss of authorization to serve the unserved areas as of the date of the finding.

A waiver granted with these commitments would allow AT&T the flexibility to continue expanding service to small villages and communities and other less densely populated rural areas and to areas on the fringe of existing populations. AT&T's ability to undertake these expansions in the short term is currently limited by the lack of effective backhaul, which is expected to be resolved after the interim build deadline and before the end of the license term. Once resolved, those challenges will allow AT&T's coverage to extend to over 80% of the population of CMA315, a 10% higher benchmark than the alternative population benchmark for the Lower 700 MHz E Block and a higher benchmark than any other commercial service. These commitments further serve the public interest by incenting the provision of service for a significant majority of users in CMA315 through the course of the current license term and into the renewal term. Moreover, the spectrum will remain viable for use in remote areas throughout CMA315 as community pockets arise over time in areas that are remote from existing population centers.

In accordance with section 1.1206(b)(2) of the Commission's rules, this letter is being filed electronically with your office. Please feel free to contact me if you have any questions.

Sincerely,

cc: Suzanne Tetreault
Roger Noel
Richard Arsenault
Linda Chang
Amanda Huetinck
Anna Gentry